



To the Kings most *Excellent Maiestie.*

The humble Petition of the Mini-
sters of the Church of *England*,
desiring Reformation, of certain Cere-
monies and abuses of th^{us} :
Church.

Most Gracious and dread Sovereigne, seeing
it hath pleased the divine Majesty, to the
great comfort of all good Christians, to
advance your Highnesse, according to your
just title, to the peaceable government of
this Church and Commonwealt^h of Eng-
land : wee the Ministers of the Gospell in
this Land, neither as factious men, affecting a popular Paritie
in the Church, nor as Schismaticks ayming at the dissolution of
the

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The Petition.

the State Ecclesiasticall: but as the faithfull servants of Christ, and loyall subjects to your Majesty, desiring and longing for the redresse of divers abuses of the Church, could do no lesse, in our obedience to God, service to your Majesty, love to his Church, then acquaint your Princely Majesty with our particular griefs. For as your Princely pen writeth, The King as a good Physician, must first know what peccant humours his patient naturally is most subject unto; before hee can begin his cure: And although divers of us that sue for Reformation, have formerly in respect of the times subscribed to the book, some upon Protestation, some upon exposition given them, some with condition, rather then the Church should have beene deprived of their labour and Ministry: yet now we, to the number of more then a Thousand, of your Majesties Subiects and Ministers, all groaning as under a common burden of humane Rites and Ceremonies, do with one joynt consent humble our selves at your Majesties feet, to be eased and reliev'd in this behalf. Our humble suit then unto your Majesty is, that these offences following, some may be removed, some amended, some qualified.

In the Church Service.

That the Crosse in Baptisme, Interrogatories ministred to Infants, Confirmation as superfluous, may be taken away. Baptisme to be ministred by women, and so explained. The Cap and Surplice not urged. That examination may goe before the Communion. That it be ministred with a Sermon. That divers terms of Priests, and Absolution, and some other used, with the Ring in Marriage, and other such like in the book, may be corrected. The long-somnesse of service abridged. Church-songs and Musick moderated to better edification. That the Lords day be not prophaned. The rest upon Holydayes not so strictly urged. That
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The Petition.

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there may be an uniformity of doctrine prescribed. No Popish opinion to be any more taught or defended. No Ministers charged to teach their people to bow at the Name of Jesus. That the Canonick Scriptures onely be read in the Church.

2 Concerning Church Ministers.

That none hereafter be admitted into the Ministry, but able and sufficient men, and those, to preach diligently; and especially upon the Lords day. That such as be already entred and cannot preach, may either be removed, and some charitable course taken with them for their reliefe: or else to be forced, according to the value of their livings, to maintain Preachers. That Non-residency be not permitted. That King Edwards Statute for the lawfulnessse of Ministers marriage be revived. That Ministers be not urged to subscribe, but, according to the Law, to the Articles of Religion, and the Kings Supremacy onely.

3 For Churchlivings and maintenance.

That Bishops leave their Commendams: some holding Prebends, some Parsonages, some Vicarages with their Bishopricks. That double-beneficed men be not suffered to hold, some two, some three Benefices with Cure, and some two, three, or foure dignities besides. That Impropriations annexed to Bishopricks and Colleges, be demised only to the Preachers Incumbents, for the old Rent. That the Impropriations of Laymens fee, may be charged with a sixth or seventh part of the worth, to the maintenance of the preaching Minister.

4 For Church Discipline.

That the Discipline, and Excommunication may be administered according to Christs own institution. Or at the least, that enormities may be redressed. As namely, That Excommunication come not forth under the name of lay persons, Chancellours, Officials; &c. That men be not excommunicated for trifles and twelve peny matters. That none be excommunicated without consent of his Pastor. That the Officers be not suffered to extort unreasonable fees. That none having jurisdiction or Register places, put out the same to farm. That divers Popish Canons, (as for restraint of marriage at certain times) be reversed. That the longsomnesse of suits in Ecclesiasticall courts, (which hang sometime two, three, foure, five, six or seven years) may be restrained. That the Oath ex Officio, whereby men are forced to accuse themselves be more sparingly used. That licenses for marriage without Banes asked, be more cautiously granted.

These with such other Abuses yet remayning and practised in the Church of England, we are able to shew, not to be agreeable to the Scriptures, if it shall please your Highnesse further to heare us, or more at large by writing to be enformed, or by conference among the learned to be resolved. And yet we doubt not, but that without any farther processe, your Majesty (of whose Christian judgement we have received so good a tast already) is able of your selfe to judge of the equity of this cause. God wee trust hath appointed your Highnesse our Physician, to heale these diseases. And we say with Mordecay to Hester, who knoweth, whether you are come to the Kingdome for such a time? Thus your Majesty shall do that, which we are perswaded, shall be acceptable to God honorable to your Majestie in all succeeding ages, profitable to his Church which shall be thereby increased, comfortable

The Petition.

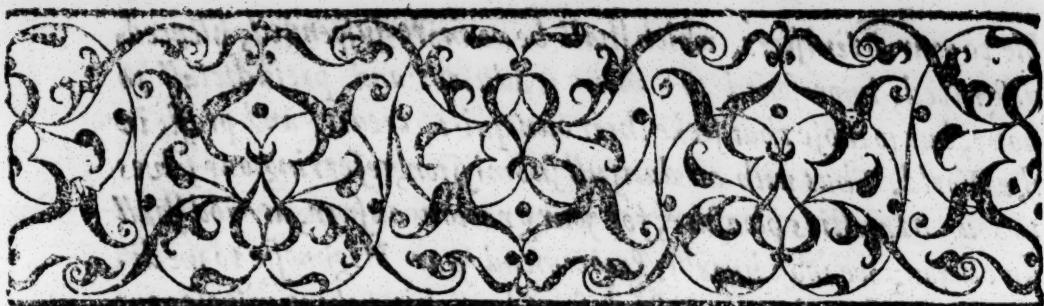
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ble to your Ministers, which shall be no more suspended, silenced, disgraced, imprisoned for mens traditions: and prejudiciall to none, but to those that seeke their own quiet, credit, and profit in the World. Thus with all dutifull submission, referring our selves to your Majesties pleasure, for your gracious answer, as God shall direct you, we most humbly recommend your Highnesse to the divine Majesty; whom we beseech for Christ his sake to dispose your royall heart to doe herein, what shall be to his glory, the good of his Church, and your endlesse comfort.

Your Majesties most humble Subjects.

**The Ministers of the Gospell, that desire not a disorderly
Innovation, but a due and godly Reformation.**

The



The Answer of the Vicechancellor,
the Doctours, both the Proctours, and other
the Heads of Houses in the Vniver-
sity of OXFORD,

*To the Petition of the Ministers of the Church of
England desiring Reformation.*

In their *Petition*, there are three
principall parts.

1 *A Preface.*

2 *A Complaint consisting of foure speciall points ;
In every of them they desire, that certain Ceremonies and
Abuses may be, some of them removed, some amended,
some qualified.*

3 *A Conclusion.*

For answer whereunto :



E most humbly beseech his most excellent Majesty, that it may be considered, how inconvenient and unsufferable it is in Christian policie, to permit along and well settled state of government, to be so much as questioned, much more to be ^a altered, for a few of his subjects: especially considering the matter, pretended to be the cause of these mens grief, and of their desired Reformation, unjustly so called. For it is either the *Ceremonies* of the Church, or *Abuses* in the Church, as they alleage. Wherein wee humbly recommend to his Princely remembrance.

First, concerning Ceremonies, that they are either superstitious; and then no ways to be admitted. Of which sort it should seem by the Petitioners, (and we are ready to prove) that the Ceremonies of our Church are not. Because these men confesse, that in respect of the times they did subscribe unto them: or if they were such, with what conscience did they subscribe, in respect of the times?

Or else, things in themselves indifferent. And then the supream Christian Magistrate hath lawfull ^b authoritie to forbid, and wee must forbear: to command, and wee must obey; not onely for feare, but for conscience sake. Of which kind if these Ceremonies be (as we will justify, and they cannot deny) where is then their pretended obedience? Where is their applause of his Majesties peaceable government? Why doe they trouble both Church & Commonwealth, in respect of matters which in duty and conscience they may well, and ought willingly to submit themselves unto?

^a *Ipsa mutatio consuetudinis etiam quæ adjuvat utilitate novitate perturbat August. ad Ianuar. Ep. 118. cap. 5.*

^b *Melan. in 13 ad Rom. Peccatum mortale est violare edicta Magistrat. &c. Heming in Syntag. c. de A-diaph. Qui violat Eccl. iustitiam peccat multis modis, &c. Bez. Epist. 24. ad artic. 7.*

Secondly concerning Abuses, be it considered: first of what quality they are; secondly, of what degree.

1 Touching the nature or quality of them, whether they are in the very Constitutions of our Church, or rather in the Execution of the said Constitutions. If not in the Constitutions themselves, (as when wee descend to the particulars it will appeare:) there is no cause why the government should be changed; or these men suffered thus to calumniate the State, wherein there is nothing *Positive*, that is worthy of blame. If in the Execution; (which as we will not absolutely deny, so these men cannot easily prove,) that may be remedied by amending or removing of some certain offenders, without alteration of the State.

c. Calv. adv. A-
nab art. 2. Viri-
que (St. Cathari
& Donatista)
in eodem errore
fuerunt, Quo isti
somniaiores, Ec-
clesiam queren-
tes in qua nihil
posset desiderari,
etc.

2 Touching the degree or grievousnesse of these abuses, (whether in the constitution, as they suppose, and we deny; or in the Execution, which simply and in every particular, 'no Church in *Christendome* is able to justifie, and yet none, so much as this of ours :) we undertake to prove against the Thousand, that maske unknown under that generality, that they are not such, nor so heynous, as deserve this their bitter reprehension: much lesse such an alteration, in the Church and Common wealth, as would ensue; if these Petitioners might have their desire.

2. In Particular.

Concerning the Preface.

we doe but note.

1 **W**Hat reckoning (in truth) the men doe make, of *just titles unto Kingdomes*, who favour them
so

so much that were wont to subject all Kingstiles unto popular election and approbation.

d De jure reg.
apud Scot.
De jur. Magist.
in subd.
Vind. cont. tyr.
Hott. Franco.

2 What comfort (indeed) the Petitioners take in the peace of his Majesties government; who in the very entrance thereof, by seeking this, and the like dangerous alterations, doe disquiet and disturbe the same. Were other men as little inured to peace and subjection, it might occasion some inconvenience.

3 Howsoever in words they decline the imputation of *factions men affecting popular parity in the Church, and of Schismatics ayming at the dissolution of the state Ecclesiasticall*; yet it is too well known in this Kingdome, and by experience it hath been felt in that of *Scotland*, what manner of men they be: as also, what have been the lamentable effects of their Reformation there, and would have been likewise here, had not the prudent foresight and constant resolution of our late gracious Sovereigne continually repressed their attempts.

e Βασιλικὴ
δωρ. pag. 39.
40, 41, &c.

4 These men might have performed better, *Their obedience to God, their service to his Majesty, their love to his Church*, (as in the particulars will appeare) if they had forbore to trouble his Majesty, the Church of God, and this Common-wealth, with these their causelesse griefs and discontentments. They have thereby made such a breach as will not easly (without much wisdom and patience) be cured. For what are these men, that they should assume so much? or what are the whole Clergy of *England* besides, that they should be so abased and contemned?

5 That which they alleage out of his Highnesse *Βασιλικὴν δωρ.* is a childish fallacy; absurdly taking that for granted, which is the mayn question. They must prove

f Incl. Apo. 170

Accessimus

quantum maxi-

me potuimus ad

Ecclesiam Apost.

&c.

Et 46. Ea omnia

que aut super-

stitiosa, &c.

Aut cum sacris

literis pugnan-

tia, aut etiam

sobriis homini-

bus indigna, &c.

prorsus sine ulli

exceptione repu-

diavimus.

(and not assume) that these are the *peccant humours* of *this Church*, which in truth is the ^f least *peccant* of any in the World, and would be much lesse *peccant*, if it were cleane purged, of these unquiet and malecontented humours.

6 That *diverse of them* have formerly subscribed to *the booke*, (as skornfully they tearme it) doth manifestly evince, that either our *Liturgie* is justifiable, themselves being Judges; or els that they did liberally dispence with their own consciences, which is not the part of honest men. To doe that *in respect of the times*, which in it selfe is not lawful, proveth little lesse then hypocrisie: to alledge unknowne *Protestations*, *expositions*, and *Conditions* in their subscription, doth argue no sincerity; and upon due examination, will fall out to be nothing but meere falsitie.

7 As for their *labours in the Ministry*, be they such as they are. This Church of England had been happy if it had not beene troubled with their factious Sermons and scurrile Pamphlets: which have given the Adversary much matter of advantage, distracted the minds of many weake ones, and quite turned some other from the love of the Truth.

8 The number of *more then a Thousand*, is but a vizard, which we humbly intreat, may be pulled from their faces, that we may see and know the men, that thus groane under the yoke of a Christian and commendable government; which (maliciously and injuriously) they would have reputed, *a most heavy burden of humane Rites and Ceremonies*. The vanity of which their complaint, comes now more particularly to be discuffed.

Con-

g Mart. Mar. P.

Miles monop.

Hay any work

and the rest of

that spirit.

Concerning the matters of their Complaint:

1 Of the Church service.

1 **I**N the Church service we are ready to maintain, (but they must object first and prove the contrary) that the ^a *Crosse in Baptisme*, ^b *Interrogatories ministred to Infants*, and ^c *confirmation*, are most ancient, justifiable, and convenient Ceremonies, and therefore to bee continued.

^a Tert. de Cor. mil. cap. 3.
^b Aug. Ep. 23.
^c Hieron. cont. Luc.

2 That the Church of England, nor the booke of Common prayer doth not prescribe, that *Baptisme should be administred by women*. Though we deny it not to be ^h *Baptisme*, if perchance *de facto*, it be by them administred. *Fz. erinon debuit, factum valuit.*

^h Chytra. de Bap. & in Lev. Sncph. de Bap. Zuingl. de Bap. Hierbr. in Comp. Theol.

3 That the *Cap and Surplice be not urged*, it is an absurd speech and implies confusion. For so every man should be suffered in that behalfe to doe what him liketh. Again, do not their own words import that they may wel be used? but they must not be *urged*. Why? what is there in a Cap or in a Surplice that should ⁱ offend any man of judgement.

ⁱ Buc. de re vesti. pag 707.
Pet. Mart. Ep. ed Hop. Aug. Ep. 154.
Calvi. in Ex. 23.

4 That *Examination* where need is should goe before the *Communion*, who disliketh? Or that it be *ministred with a sermon*? But that it should not bee ministred without a sermon, is absurd; and hath bred in many a vain and false opinion, as if, not the word of Christs institution, but rather the word of a Ministers exposition, were a ^k necessary and an essentiall part of the Communion. Besides he that readeth our Communion booke, shall see that therein the whole manner, end, and use of that holy Institution, is so excellently described, as may be instead of many Sermons. Also that none should be admitted to

^k T. C. 1. p. 158

that blessed Sacrament (of what age, state, or condition so ever) except they were first examined after the Confistorian fashion, were insolent, injurious, and in many respects most inconvenient.

1 Isay 66. 21.

Where the Geneva note doth shew, that the Ministers of the new Testament are to be tearmed Priests.

* Bucer. in Consur. cap. 20.

5 The terms of *1 Priests* and *Absolution: the * Ring in Mariage and such other*, which they have heretofore traduced in their unlearned discourses, are by divers of our learned Divines, and shall be justified. As contrariwise by the Petitioners they will never be evicted worthy to be abolished.

6 Their desire *to have the long-somnesse of service abridged* doth well besit their great Devotion. Who notwithstanding are wont to spend an houre sometimes or little lesse, in extemporary, in consequence, and senselesse prayers conceived rashly by themselves. From hence, their dislike of set and stinted formes of prayer, it doth proceed, that some of them omit, some refuse to repeat, some condemne the use of the Lords Prayer, from hence hath *Barrow* and *Greenewood* taken their beginning, and fetched the premisses of their pestilent and blasphemous Conclusions.

m Iust Mart. in quest. ad Orih.

q. 107.

Aug Confes. lib.

10. cap. 33.

7 Church *songs and Musique* are much beholden to these men now: in as much as they can bee content to digest them, so they be *moderated to better edification*. The time was when wee have heard them speake in this point after another sort. *Meritricious Church Musicke, Tossing of tennis balls*, and such like were their phrases of Gods divine service: but thanked be God that his Majesties devout affection in this kind hath forced from them this moderation.

8 *That the Lords day be not prophaned*, hee is verie prophane that desireth not from his heart. But what manner-

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ner of lawgivers are they that lay downe their constitutions in such Negatives, in such Comparatives: for who can divine what they would have, when they desire *that the Rest uponⁿ Holy dayes be not so strictly urged?* Would they have men upon such dayes goe to plough and cart, as some of their humor have caused their servants to do, on the very feast of Christs Nativity? Or do they mean, that we should take to our selves such liberty therein, as certain persons lately have done; who being commanded by lawfull authority to celebrate the fifth of *August*, with joy and thanksgiving for his Majesties most strange and wonderfull deliverance upon the said day, did notwithstanding spend the same (as we are credibly informed) in fasting & mourning and such like works of their obedience? Nay, these and the like experiments do cause us, humbly and instantly to desire, that both Sundays and Holydays may be religiously observed, and the intollerable prophanation of them, which is the rather brought in by these mens preachings and examples, may be very severely punished.

9 *That there may bee an Vniformity of Doctrine prescribed: That no Popish opinions may be any more taught or defended.* What imputations are these? how prejudicial? How injurious? Not only unto the Church government, but unto the Christian faith established in this Realme? What advantage do these men in these shamelesse suggestions reach unto the Papists? as if there were no vniformity, no consent of doctrine among us: (so ye except them.) As if there were some popish opinions taught & defended in our Liturgy? (as they deem who are ready to make every thing P Poperie which they doe not fancie) These are the weapons with which *Bellarmino* and that

*n Pet. Mareyr
Epist. ad Hoppe-
rum.*

*o Wee refer to
the Articles of
Religion a-
greed upon &
established in
Convocation.
Anno 1562.
p Zinch.conf.
cap. 24. de Eccl
Milit. Aph. 19*

that Brood, are wont to wound, or rather falsly to reproach our faith and profession. Good had it beene that these men had never beene able to write, rather then to write thus, to the scandall of Gods Church, and his sacred truth.

10 *Reverence done at the name of Iesus*, is no superstition, but an outward signe of our inward subjection to his divine Majestie, and an apparent token of our devotion. Why doe they not likewise find fault with kneeling, sighing, weeping, lifting up of eyes, knocking of breasts, holding up of hands unto heaven? All which good men may use in Gods service with great piety, though Hypocrites doe otherwise.

11 They are grossly ignorant if they know it not, or wilfully malicious and turbulent, if knowing it to be lawfull, they yet oppugne *the reading of the Apocryphall Scriptures or Writings in the Church. Non ad confirmationem fidei, sed ad reformationem, or institutionem morum*, as the Ancient fathers speak and approve. As also the Articles of con-
 vocation, and the Prefaces before the *Apocryphall* books in the English Bibles, doe directly shew: adding that they give light, to the divine story.

q Hiero. Pref. in
 Pro.
 Cypr. in Symb.
 Pellic. pref. in
 Apocr.

2. Concerning Church-ministers.

I **W**EE heartily desire *that able and sufficient men bee admitted into the Ministry. That they preach diligently, and that on the Sunday especially.* But who shall judge of their sufficiencie? Or doth not the sufficiencie of Ministers *Suscipere magis & minus*? Were the Ministers of the Primitive Church, all of them able to preach? Did not some of them preach the Gos-
 pell,

pell, and other some read the Scriptures, and administer the Sacraments? Or hath not the urging of that strange doctrine, viz. *That he is no Minister that cannot preach*, first forced men to take upon them to expound Gods Word, that thereby have brought the Word of God, and the sacred exercise of preaching into lamentable contempt, through their absurde, sencelesse, and irreligious glosses, and paraphrases, and discourses: whiles they have chosen rather so to doe, then to be accounted, *Idol-shepherds, Dumbe dogges, No Ministers*, and such like? Secondly hath it not made the *Brownists* confidently to reproach us, that our Church is no Church, our Sacraments no Sacraments, our Prince and people infidels, as not being baptised at all, our Christian Congregations prophane multitudes, &c. onely because some in the Ministry could not nor did not preach? But in this point it would be considered especially, first that it is not possible to have all Ministers men of worth, till all Church-livings be very sufficient to maintaine men of worth. Secondly, that the way to invite men of best parts to take upon them the Ministry, is not to expose and subiect that calling to want and beggary, which in the third part of this their complaint, these men do principally intend. And lastly that howsoever these men doe please themselves in their extemporary gift; yet many of them, though in shew very audacious, doe notwithstanding deserve for their grosse ignorance, to be blotted out of the number of preachers, truly so called.

2 How charitable these men are, that would have men removed out of the Ministry, because they cannot preach; (whereas some of them were intreated to take that function upon them, when men more able could not be

† Chrysost in
1 Cor. 1.
Pet. Martyr. in
1 Cor. 1.
Gualt. in 1 Cor. 1.
Cal. in 1 Cor. 1.
Bucer. in Eph. 4.

† Barrowes
bookes, &c.
Perpetuall go-
vernment of
the Church.
Pag. 339.

† H. v. conf. ex
Helv. Post.
De Minist. ca. 18
Agnoscamus, &c.
Vnde ne hodie
quidem rejicimus
simplicitatem
quorundam pro-
bam, &c.

be gotten; and others in their yonger yeeres, have beene of more sufficiency, then now their age, sicknesse, or other infirmity, will permit them to be :) And how judicious, that would have them *to maintaine preachers*, who (for the most part) have not wherewith for to maintaine themselves, we leave to the consideration of the wise. How much better hath our Church devised, to supply the defects of some men, in some places of meane valew, by other meanes? As namely, 1. By the frequent reading of the Scriptures: A matter more^u availeable unto faith and godlinesse, then the Petitioners doe imagine; and would be much more, if it were not brought into contempt, by their suggestions. 2. By a most religious and excellent *x forme of Common prayer*. 3. By Sermons and Homilies printed and appointed to be read, both for the confirmation of the faith, and for reformation of manners. All which in a Church not new to be planted, but now settled and well grounded in the profession of the truth, are ordinary effectuall meanes, to continue and increase them, in the true faith and feare of God. Hereunto may be added the manifold provisions in our Church, for sermons quarterly, or more often, in those Cures, where the Incumbents cannot preach.

3 *That Non-residency be not permitted.* It is a matter of wise and sound deliberation: first, *y what Non-residence is*; for many men in our Church, have two parishes committed to their charge, which both will not make one living. Againe, many have but one parish under them, which yet would require more then two, or tenne men to speake at once to all the Congregation. Secondly it is, and long hath beene permitted, by wise and godly Magistrates, that have given way to it, by their positive prudent

z Zanc. Conf. obs. in cap. 15.

Aph. 10. 11.

x B. Ridley to M. Grindall then beyond the seas. Alas that brother Knox could not beare with our booke of common prayer, &c. The reasons he maketh against the Letany, &c. I doe marvell how he can or dare avouch them, &c.

y The bounds of Parishes are not de jure divino.

prudent Laws, as necessary, in some Cases, in a few men, and them (generally and by intendment) of the best deserts. Thirdly that it is absolutely unlawfull, and in ² no sort to be suffered, neither hath beene proved, nor ever will, by all the Scismaticks in the Land. Fourthly, in what congruity may he be counted an idle *Non-resident*, that is alwaies present and taketh paines, in some part; and often in every part of his charge; Fiftly, there are not more intollerable *Non-residents* in England, then some of those, that are either included in the *Thousand* afore mentioned, or that favor this their attempt: Especially if they shall bee measured by those places of Scripture, which they are wont to alledg against *Non-residents* after the Texts be well examined. Lastly, it is not possible (as Church-livings are now ^{*} allotted) that simply no *Non-residency* should be permitted, and yet withall a learned Ministry maintained, Princes and Peeres of the Land attended, Colleges and Cathedrall Churches continued, the Universities present, and hope of succession in them for hereafter, preserved, propagated and supported.

^{*}The answer to the 2. treatise of the Abstract.

^{*}To alter the precincts of parishes, is a matter of greater consequence, then the Abstractor, or many more such shallow heads can possibly conceive.

4 *The Marriage of Ministers* wee doe not dislike, but maintain the lawfulness thereof against the Church of Rome: and humbly desire (if there be neede) that the supreme Magistrate, will add thereunto, by his royall authority and the law of the Land, such farther strength and confirmation, as shall seem fit to his high wisdom.

5 Wee know of no *Subscription* that is urged, which is not agreeable to law, required by the orders of our University, necessary in a Christian Commonwealth, profitable for the Church of God, approveable by all judicious learned men, and disliked of none, but of a few folk, that

*The lawes and
statutes of Ger.
In the form of
Oath, which
the Ministers
receive. Sect. 2.
Ee 2a in vita
Cal. pag. 910.

that are overmuch addicted to their own opinions. Who notwithstanding, where^a they beare the sway, it is worth the consideration, how strictly they tie all them that will live among them, to the observation of their Church government. And in truth (so the things in themselves be not intolerable) better so, then that which is here proposed. For the not urging of a conformity in Church discipline, is to set open the high way to all disorder and Confusion.

3. Concerning Church maintenance.

I *That Bishops leave their Commendams.* In case some of the ancient revenue might be restored to their Bishopricks, he were utterly unworthy to be a Bishop, that would desire a *Commendam*. But, as now the most of them are impaired, to take away from all Bishops all manner of *Commendams*, is (in truth) to tie the Kings hands, that he shall not be able, though he would, (and where he will not, no *Commendam* can be given;) to make his most faithfull servants, or other men of best desert in the Ministry, able to maintain their places and callings, by his Majesties favor, and gracious dispensation, when otherwise their Bishopricks are not sufficient so to doe. So as if it be well wayed, they doe not so much intend in this particular to impoverish some few Bishops, as indeed utterly to overthrow them, and generally to restraine the Kings Prerogative.

2 Of the same nature is that which followeth. For no man, except he be the Kings Chaplaine, may hold *three Benefices with Cure*, and those of his Highnesse own gift. So that here also they desire to limit the Kings favour :

vour. Againe, it is not known, that there be five in all this Land, that hold three such Benefices. And then what good dealing is this in the Petitioners, to make the world beleeve, that it is a common fault, which is scarce to be found in a few?

3 *Their disposing of Impropriations*, doth notably bewray their lacke of Conscience, their little love to learning and Religion, their temporizing and fitting their motions to the Laities good liking. For who seeth not that it would be the certain overthrow, and utter ruine of *Bishopricks, Colledges, and Cathedrall Churches*, if their *Impropriations should be demised to Vicars or Curats, the Incumbents, at the old rent*, without fine, without improvement? Againe, who be they, and how many, that by this meanes would be provided for? A few, and those the meanest of the Clergy. But the inconveniences that would hereof ensue, are very many, and intolerable. Therefore we reserve that discourse to a fit opportunity. On the other side, who doth not know, that for a Layman to hold an impropriation (*which is a Tithe*) is originally unlawfull, and cleane contrary to the first institution? Yet these men in all their purity, zeale, and conscience, can content themselves, and their preaching Incumbents, with the seventh part onely of an Impropriation, in a Lay-mans fee.

4 Are these all, or the best meanes, that *a Thousand mē, such as they would be reputed*, can propose to his Highnesse for the bettering of the Church maintenance? If we might know, that it would stand with his Majesties good liking, and should not be imputed unto us as a breach of duty; It were very possible, that the men whom they so much contemne, would be able to propose some other

The Ecclesi.
asticall discipl.
pag. 114.

course for the bettring of the Church maintenance, without the alteration or injurie of any other state.

4 Concerning Church Discipline.

Under the name of their *Discipline*, we have bin hertofore taught by these men to understand, *The kingdom of Christ upon earth. A thing of no lesse importance then the ^d Gospell of Christ Jesus; An essentiaall part of the Gospell. A matter of faith to be received upon paine of damnation: An essentiaall marke of the true Church without the which our Church was no Church, our faith no faith, our Gospell no Gospell, &c.* And it is now come to be so indifferent, that it may bee administered accordingly; Or else at the least, that these enormities may be redressed? Will it now suffer such an, Or else at the least.

^dEccles. Disci.
pag. 13.
T.C. Epist. to
the Church of
England.

Were we perswaded that their *Discipline*, their *Presbytery*, the life and being of their *Discipline*, were indeed of Christs institution; were we perswaded it were a part of Gods Word, an essentiaall part of his Word; could we be contented to bee without it? Could wee content our selves to live any where but under it? Would we not redeem it with much perill and paine? With certain losse? And that willingly?

But the experience that his most excellent Maiesty hath had, of the manifold mischiefs and miseries that attend their pretended *Discipline*, doth make them not dare to speake plainly for it. They therefore faulter in seeking to obtain that, which yet in heart they do affect, and specially desire.

But to these *Enormities*; these *heinous Enormities*. Is
it

it not well, that now at length, these quick-sighted men can espie no fouler *Enormities* in our Church government?

Enormities.

I *HAT* Excommunication come not forth under the name of Lay persons. First, it may truly be said, that though it did come forth under the name of a Chancellour or a Commissary, yet came it not forth under the name of Lay persons. For a Chancellor or a Commissary is not a Lay-man in this case: The Ordinary and He are but *Unus Judex*. Or rather, whatsoever the Chancellor doth in this behalfe, he doth it in the authority of the Ordinary, according to the power that is committed unto him. A thing not unusuall in the Civill state, wherein the Lord Chancellor doth dispose of many things, which are originally in the Crown; and againe, writeth *Teste meipso* unto many particulars, that never passe by bill assigned.

Secondly, No Lay-Chancelor or Comissary whatsoever doth at any time excommunicate any man; or sendeth out in his *own name* any excommunication. But this is the practice of the Church of England. In the censuring of notorious and more grievous crimes, the Arch-BP, the Bishop, the Deane, the Arch-deacon, or a Prebendary that is a Priest, pronounceth the sentence of Excommunication in his own person. And in matters of lesse offence, as contumacy in not appearing, and the like, the *Vicar-generall, Officiall or Cōmissary*, that is not in holy orders, holdeth this course. First, upon knowledg and examination of the cause, he adjudgeth the party worthy

^aConst.Eccle.
1597. cap.de
Excess.circa
Excom.refor.

to be excommunicated; then the Minister (associated unto him by expresse authority from the Ordinary) doth pronounce the sentence of Excommunication against him; Lastly, the Chanceller sendeth to the Pastor of the Parish where that party dwelleth, requiring him, publicly to declare the said party to be a person excommunicated by the sentence of the Minister his associate. And all this, according to the forme of the Articles set forth by her Majesties authority, *Anno* 1597.

Thirdly, are not these excellent *Enormity makers*, that can finde such an *Enormity* in the *Name of a Layman* (in whose name notwithstanding, the excommunication never commeth forth) when yet, if it did come forth in his name, the nature of the thing it selfe is such, as justly cannot be reproved? They are not ignorant, that excommunication doth proceed as is afore-said; if not in the name, yet in the Authority and Jurisdiction of the Bishop, or some other chiefe Clergy-man, to whom the power of the Keyes doth belong, and unto whom the Church of England hath assigned the execution of that part of our Discipline. Who, if they use the advise and Ministry of a wise and religious Civilian, in decreeing who is to be excommunicate, (whereupon those outward penalties doe ensue, which attend the authority, and follow the sentence of Excommunication, in this Church & Common wealth:) how doth that in any wise violate Christs institution as touching excommunication?

Lastly, if the Discipline they long for, were once on foot among us, we should then heare tell of certaine *Lay-Persons* that ought to have a principall hand in their excommunications. Thus, as they are weake in judgment for matter of learning in this point, not being able

† Perpetuall
govern. of the
Chur. pa. 320.

to resolve of any thing in certaine ; so are they as partiall in prescribing their plots for matter of practise ; whiles they reprove that in others , which in themselves they doe allow. Except peradventure they will tell us (and we must needs beleieve them) that their *Lay-Elders* become Clergy men *ipso facto* , because they are of their Consistory ; & have voyces (according to their learning) in these Ecclesiasticall censures.

2 *That none be excommunicated for trifles and twelve penny matters.* They are not. Contempt is then the greater, when the matter wherein they shew their contempt is of lesser vawlew: As contrariwise, obedience is then more commendable, when it is seen in a matter of greater difficulty. But these men are so accustomed to disobedience, that they account it but a trifle ; And therefore calumniate us and our discipline ; as if with us, men were excommunicated for trifles, when (in truth) they are censured for their contempt.

The order of Excom. &c. in the Church of Scot. Printed June, 1571. Cap. 4. Thus any small offence may justly deserve Excommuni- cation, by reason of the contempt & disobedience of the offender.

3 *That none be excommunicated without consent of his Pastor.* Without consent , is a captious tearm. For in our understanding, the Minister of the Parish doth give his consent , when he publisheth the excommunication ; as also when he doth certifie what he hath done in denouncing the same. And this manner of consent we take to be sufficient , and as much as is requisite in a private Pastor, that hath no Jurisdiction.

But what is it that these men doe meane? Would they (thinke you) that every Pastor should have a Negative in the excommunicating of his Parishioners? Undoubtedly they would: threby intending the utter overthrow of the present Church government, and in steed thereof the setting up of a *Presbitery* in every Parish. Or rather, that

that which is worse (if worse may be) the enabling of every particular Pastour to Excommunicate by himselfe alone.

^hPerpetuall government of the Church, pag. 321.

Except peradventure they will say, that the particular Pastor ought to be joyned in cōmission with the Chancellor. And then behold what would ensue. On the Minister, a world of troubles: he must be sent for as oft as any of his parish is presented, he must attend the hearing and debating of the whole cause; he must be present as oft as the Chancellor sitteth, as long as the matter dependeth, to his great travaile and pains, his excessive charge, and the causelesse neglect of his calling. On the other side, if this Minister will be wilfull, and in fine dissent from the Chancellor in opinion; then is all the labor lost; the Judge hath spent his skill and care in vain, and the Bishops Consistory must down to the ground: either *Pastor* must prevaile, or nothing must be done; To the intollerable hinderance of Justice, and excessive detriment of the plaintiffe. These and the like, are the well advised Propositions, wherof there is store in their Discipline. By which it doth sufficiently appeare, that as yet it is not thoroughly refined.

4 *Extorting of unreasonable fees*, who approveth? Who disliketh not? Who would not have it redressed, in any that offend? Besides there are very ⁱ severe laws already made in that behalfe.

ⁱ Constat. Eccl. 1597. cap. de Feodis quæ off. Eccles.

5 *Farming out of Jurisdictions and Registers places*, though we commend it not, nor greatly like of it; yet it is of it self a matter indifferent; neither good nor ill, but as it is used.

6 The restraint of *Marriage at certaine times* (false-
^h Confil. Laodi. ly called a Popish Canon) was ^h anciently used in the Church

Can. 52.

Church of God; and being rightly understood, is now commendable in this of ours.

7 *The Long-somnes of Suits in Ecclesiasticall Courts*, is a matter of fact, not of Constitution; nor is the fault of the Court, nor of the Judge necessarily (as these men would seem to imply,) but sometime error in pleading, sometime the intricatenes of the cause, sometime the perversenesse of the Clyent, sometime the cunning of the Proctors, are the occasion that suits depend long. And when all is said, that they can say, this is none other fault than is incident to the course of Justice at the Common Law; and might befall their Consistory, or a better and more equall kind of triall.

8 *The Oath ex officio*, is used as it ought, by men of place, of wisdom, and experience; by men of Religion, learning, and conscience. Unto whom the authority to administer it as occasion is offered doth justly belong, not by speciall Commission only, but by the laws of this land, by the two Laws Canon and Civill; and by the warrant of sundry examples of the word of God: as that worthy and learned Dean of the Arches (*the ornament & honor of his profession in his time*) in his judicious¹ Apology of certain proceedings in Courts Ecclesiasticall, doth prove at large,

¹The Apolog.
2 part, Cha 9.
and so forth
to the end of
the same.

9 *Licenses for Mariage without Banes*, are most cautiously granted; and that upon^m severe punishment to ensue, if so be the Constitution be violated. But what will satisfie these men, who thus intimate unto his Highnesse, that there is rigor in the former point, and negligence in this, when as all moderation and carefulnes is used in them both?

^mConst. Eccl.
1597. cap de
moder indulg.

And are not these *beynous enormities*?

D

Their

Their Conclusion.

THe ilde vaunt that the Petitioners make of *being able to shew that these and other such abuses* (as they call them) *remaining and practised in the Church of England, are not agreeable to the Scriptures*, doth appeare to be the more ridiculous; because they have passed over in deep silence many learned^a Tracts published long since, wherein their vain fancies, and illiterate objections are refuted at large. It notwithstanding they will yet venture to write, it will be answered; If they will needs argue and dispute, there are ready that will either satisfie them, or by argument silence them. And were it not in regard that we would not seem as undutifull in accepting, as they have been in the offering of this Challenge: it is the thing we would urge, and instantly entreat, that these matters might be debated between us in writing. But in the mean time, what motions are these for the reformers to make unto a most prudent Prince in his settled and peaceable government; who for many years, hath had triall in that his other kingdome, of their pretended reformation; and in this also hath seen the gracious effects under her Majesties late happy Raign of that Church Discipline, which they would ruinate and overthrow.

God hath appointed his Majesty unto this Kingdome. It is true; and we magnifie the goodnesse of God for it, and congratulate his Highnes in the prosperous possession of it, from the ground of our hearts. But that God hath appointed him to this kingdome *for such a purpose as they conceite*; what spirit of divination is in them, that they should forespeake it? Nay rather, seeing almighty God hath ordained him as the great Physitian (next and immediately under himselfe,) to take care of the body po-
litique

^a The perfect
gover of Chri.
Chur.

A survey of the
pret holy disc.

The answer to
the Abstract.

The Apol. of
certain pro-
ceed in Court
Eccle.

A treatise of
Eccles. Discip.

De Presbyt. e-
jusq; nova. &c.

De div. Minist.
Evan. grad. &c.

The Remon-
strance,

Querimonia
Ecclesiæ.

The 5 books
of the laws of
Eccles. polit.

litique, both of his Church and Common-wealth; he will surely cure such diseases, as these men are sick of. (For turbulent and discontented humors are like to breed very dangerous diseases in a civill State:) And not be perswaded (as they fondly imagine) by such suggestions as these, to alter that state of the Church, which is acceptable to God, honorable to his Highnes, comfortable to many thousand Ministers, the Nurse of good learning, admirable to strangers, approved by our * Opposites, envied of our enemies, distastfull unto none, but such as know neither how to rule, nor how to obey.

* The letters that M^r. Beza. hath written to the Arch-bish. of C. that now is.

The very names of punishments are unpleasant indeed; but the things themselves are necessary sometimes, and their effects good and profitable for preservation of the whol; howsoever the induring of them, may be grievous in the particular. And he that will indifferently consider the true causes of the corrections here mentioned; shall have just cause to approve the Justice, * and commend the mildnes, that hath bin used towards this sort of men.

* Conspiracy for pretended Reformation.

As for that clause of *Mens traditions*, it is too too odious; and would imply Superstition or Popery to be in some of them; But how vainly, and how injuriously, hath in some sort been heretofore declared.

That other of *beeing prejudiciall to none but those that seek their own, &c.* is as injurious to all the rest of the Ministers of this land. Be we the men that are so addicted to *our own quiet, credite, and commoditie in the world?* Where then be the the fruits of our covetousnes, the effects of our ambition, the marks of our idlenes? We be the men, that in the testimony of a good conscience, for the repelling of such a malicious contumely, and slanderous reproach, may truly say: We put not out our mony to usury; we detest all filthy lucre; we contain our selves with-

in our Vocations; we forsake not our holy callings, we omit not to labour in our severall charges; we sustaine the places of great labour, travaile, and expense; we neglect not in publike, in private, in word, in writing, at home and abroad, to put to silence, and stop the mouth of the common Adversary, which these men have enlarged against us, and our most holy faith.

To conclude, the thing they seeke is so *prejudiciall*, both to the Civill state in generall, and in particular, to so many of the very best of the Ministry; that if it should take effect, but God of his mercy, and the Kings most excellent Majesty in his Christian wisdom, will not suffer it) it would breed a strange alteration in the One; and in the Other it would for the present, not only impoverish us, and our Universities, but make both them and us, and the whol Clergy very base and contemptible in the eyes of our own people, as also a by-word and scorne to our neighbour Nations; And for succeeding ages, it would cut off all hope of a learned Ministry, and of that grounded learning, which as yet is, and heretofore hath been, the glory and honour of this kingdome.

For manifestation of this point, look upon the face of all the reformed Churches in the world; and wheresoever the desire of these Petitioners doth take place, be it duly considered; first, how well their proceedings do suit with the state of a *Monarchy*; And then, how poverty on the one side, and lack of learning on the other, doth creep upon the whole Clergy in those Dominions.

As to the first: would it not beseem the supereminent authority and Regal person of a *King*, to be himself confined within the limits of some particular parish; & then to subject his soveraigne power, to the pure Apostolicall simplicity, of an over-swaying and all-commanding Pres-

Presbytery? Would it not do him much good, in a time of need, that his people should be rooted and grounded in this truth; viz. That his meeke and humble Clergy, have power to *bind their King in chaines, and their Prince in lincks of iron*? that is (in their learning) to censure him, to enjoin him penance, to excommunicate him? yea (in case they see cause) to proceed against him as a tyrant?

We speake not here of other points, as namely, that all appeals in causes Ecclesiasticall (and what doe they not make Ecclesiasticall?) must finally lie, not unto the Prince, but unto the Assembly Provincially; That they allow the supreme Magistrate, not *potestatem juris*, but only *facti*; while they make him the maintainer of their proceedings, but no commander in them. These and the like, are but petty abridgments of the Prærogative Royall, while yet the King ^a *submits his Scepter unto the Scepter of Christ, and licks the dust of the Churches feete.* ^{T.C.l.i.p.180}

Neither may it be truly said, that these are only Speculations. There are some of high place yet alive, and other some are dead, that have felt the smart hereof in their own experience, and have seen the worst of all this put in wofull execution.

As to the second. Do we not see it at this day verified among them, which hath been so often truly said, and as often unadvisedly denied, that *honor alit artes*; and contrariwise, where due reward of learning and liberal maintenance of the Ministry, is fraudulently impaired, or injuriously taken away, ^b there Religion and learning come to decay? There Atheisme and Barbarisme and confusion must needs ensue? It is too aparent, that as the revenues of those Churches have been embeazled by men of corrupt mindes, which said in their hearts, as it is in the ^{Psalm. 83. 11.} Psalme, *Let us take to our selves the houses of God in possession:*

sion.: so the remainder of that grounded learning, which was bred up in former times, is now through succession of time, almost cleane worne out.

Nec bona tam sequitur, quam bona prima fuit.

Insomuch, that there is neither sufficient maintenance in those parts, for any store of excellēt learned men, nor yet many men brought up among them in this last reforming age, worthy of that wonted honorable maintenance.

God knows we speak not this with a detracting Spirit but with grief of heart: to see the ruines of the Ministry in particular, and generally of all profound learning in other reformed Churches. As likewise to stirre up this whol nation to a thankfull acknowledgment of that singular blessing in this behalfe, which God of his goodnes hath long, and yet doth continue unto us of this Realm. And withall, to put to silence the malicious ingratitude of those evill men, which looking upon us & this Church through the colourd glasse of their prejudicate opinions, can see nothing among us *but defects and deformities, and abuses and enormities*, and the like. And therefore in their high discretion, would have us reduced and made conformable to the calamities of other places.

Whereas, in truth, if we shall bring back the eyes of our minds from forrein parts, and indifferently (without either detraction or flattery) take notice of the present state of this Church and Comon-wealth; we shall easily discern, that it were an incomparable happines for them, if all that professe the truth as it is in Christ Jesus, were in our condition.

We shall see, how that our Church government is duly subordinate unto the supreme civill state, and withall doth mightily support the same. That our reverend Prelates

lates (men of singular worth, not to be matched in any one kingdom) though preferred unto highest roomes, doe yet contain themselves within such bounds as preserves that estate from creeping to any Papal corruptions. That our inferior Clergy, by their godly and painfull labors in their vocation, have been and are the most effectuall meanes to settle the tranquility of this land; by inducing mens minds to Piety towards God, Loyalty to their King, and civill honesty among themselves. That our people generally (excepting some few malecontents of all sorts, whom wee leave to the mercy of the Magistrate) are inured unto Peace, accustomed to subjection, detest disloyalty, and wth all alacrity yeeld their obedience unto their Sovereign.

That the Colledges, the Cathedrall-Churches, the Bishops and other Ministers of this land, have yet remaining unto them (yet after the many and great spoyles of this Church; which notwithstanding, never prospered with them that got them, but were as rust to the rest of their silver and their gold, or as a Canker, that fretted out themselves, their posterity or their possessions) that yet there is remaining unto them more competent and sufficient maintenance; more comfortable and honorable encouragements, then there are to all other reformed Churches in Christendom.

Saravia de fa-
crilegiis, ca. 6.

That answerable therunto (to stop that mouth of iniquity, which is wont to traduce us, for a *dumbe, unlearned Idoll Ministry*) there are at this day more learned men in this Land, in this one kingdom; then are to be found among all the Ministers of the Religion in *France, Flanders, Germany, Poland, Denmarke, Geneva, Scotland*; or (to speake in a word) all *Europe* besides.

Which yet, may not justly be imputed to us for vanity,

1 Cor. 9.

2 Cor. 1.

ty, the Apostle that knew how to be abased, and to make himselfe of no reputation; yet when the impeaching of his personall gifts was abused to the disgrace of his calling; did without either arrogancy or folly, give his Detractors plainly and roundly to understand, that he was not inferior to the chief Apostles, nay that hee labored more then they all, and so by his own just defence & commendation, did free himself, his worth and his vocation, from their base and odious imputations. In a like case (we doubt not) a truth may be averred of our selves, even by our selves, without any ostentation at all; when it is so injuriously impeached & trodden under foote, to the high dishonor of God, the disgrace of his Gospell, and to the slander of this most Christian Comon-wealth. Yea the rich mercies that God hath continued unto us these 45 yeeres, ought to replenish our hearts with joy, and that our lips should break forth with thankfulness & sing, *Non facit taliter omni natione*; neither have the Regions round about vs been made partakers of the like blessings.

Now the father of Mercies, and God of all Consolation, enlarge the wise and understanding heart of our thrice noble King, noble in byrth, noble in wisdom, noble in all manner of good learning; assist him ever with his holy Spirit, the spirit of Counsell, of Sanctification and of Truth: make him admirable in the swaying of this Scepter as was *Salomon* in all the world, as long as he walked in the first way of his father *David*: That so hee may long weare this mortall Crown, in all abundance of piety, peace and prosperity, and hereafter obtaine that immortall Crown that Christ hath purchased for them which by continuance in well doing seeke glory and honor and immortality.

FINIS.